

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)  
9319S-000406/DVA

In re Application of: Kinya OZAWA

Application No. 10/784,037

Filed: February 20, 2004

For: TRANSFLECTIVE LIQUID CRYSTAL DEVICE AND ELECTRONIC DEVICE USING THE SAME

The owner\*, Seiko Epson Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patents granted on pending **reference** Application Numbers 10/784,037, filed on February 20, 2004; 11/225,673, filed on September 13, 2005; and 11/368,197, filed on March 3, 2006, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patents granted on said **reference** applications may be shortened by any terminal disclaimer filed prior to the grant of any patents on the pending **reference** applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patents granted on the **reference** applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patents granted on said **reference** applications, "as the term of any patents granted on said **reference** applications may be shortened by any terminal disclaimer filed prior to the grant of any patents on the pending **reference** applications," in the event that: any such patents: granted on the pending **reference** applications: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.  The undersigned is an attorney of record. Reg. No. 27,382 / 40,344

/Bryant E. Wade/May 20, 2008

Signature

Date

G. Gregory Schivley / Bryant E. Wade

Typed or printed name

248.641.1600

Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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